



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas G. Woolston  
Serial No. : 10/824,322  
Filed : April 13, 2004  
Title : CONSIGNMENT NODES

Art Unit : Unknown  
Examiner : Unknown

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT AND  
NOTICE OF LITIGATION UNDER MPEP 2001.06(C)

Applicants call attention to the attached Information Disclosure Statement and documents listed on the attached form PTO-1449.

The examiner's attention is also drawn to documents A641-A667 which were filed in litigation between the assignee of the above-referenced application and eBay, Inc., in the case MercExchange L.L.C. v. eBay, Inc. et. al., Civil Action No. 2:01-CV-736, in the U.S. District Court for the Eastern District of Virginia, involving the assignee of the above-referenced application, and at least one patent that is a family member to the above-referenced application. Applicants make no representations herein regarding the materiality of the documents submitted herewith. Applicants are merely making these documents available to the Patent Office as a result of the contentions of the parties in the above-referenced litigation.

For the examiner's convenience, copies of the references listed on the attached form PTO-1449 are being provided on two compact discs filed herewith. Paper copies will be provided if requested by the examiner.

Consideration of the foregoing and enclosures plus the return of a copy of the enclosed form PTO-1449 with the Examiner's initials in the left column per MPEP 609 are earnestly solicited along with an early action on the merits.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 28, 2004

Date of Deposit

Signature

Jennifer H. Payne

Typed or Printed Name of Person Signing Certificate

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /W.A./

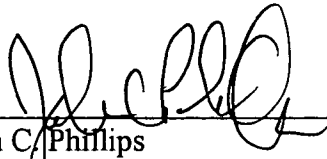
Applicant : Thomas G. Woolston  
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Page : 2 of 2

Attorney's Docket No.: 13466-002016

This statement is being filed before receipt of a first Office action on the merits. Please apply any other charges or credits to Deposit Account No. 06-1050.

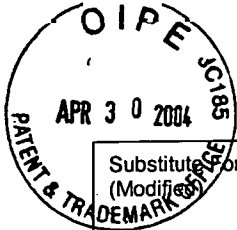
Respectfully submitted,

Date: April 28, 2004

  
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|--|--|--|--|---------------------------------------|--|-------------------------------|--|
| Substitute Form PTO-1449<br>(Modified)   |  | U.S. Department of Commerce<br>Patent and Trademark Office |  | Attorney's Docket No.<br>13466-002016 |  | Application No.<br>10/824,322 |  |
| <b>Information Disclosure Statement<br/>by Applicant</b><br>(Use several sheets if necessary)<br>(37 CFR §1.98(b)) |  |  |  | Applicant<br>Thomas G. Woolston       |  |                               |  |
|  |  |  |  | Filing Date<br>April 13, 2004         |  | Group Art Unit                |  |

| U.S. Patent Documents |           |                 |                  |                 |       |          |                            |
|-----------------------|-----------|-----------------|------------------|-----------------|-------|----------|----------------------------|
| Examiner Initial      | Desig. ID | Document Number | Publication Date | Patentee        | Class | Subclass | Filing Date If Appropriate |
|                       | AA        | 3,573,747       | 04/06/1971       | Adams et al     |       |          |                            |
|                       | AB        | 3,581,072       | 5/25/1971        | Nymeyer         |       |          |                            |
|                       | AC        | 4,247,759       | 1/27/1981        | Yuris , et al.  |       |          |                            |
|                       | AD        | 4,270,042       | 5/26/1981        | Case            |       |          |                            |
|                       | AE        | 4,305,059       | 12/08/1981       | Benton          |       |          |                            |
|                       | AF        | 4,346,442       | 8/24/1982        | Musmanno        |       |          |                            |
|                       | AG        | 4,449,186       | 5/15/1984        | Kelly, et al.   |       |          |                            |
|                       | AH        | 4,553,222       | 11/12/1985       | Kurland, et al. |       |          |                            |
|                       | AI        | 4,674,044       | 6/16/1987        | Kalmus et al.   |       |          |                            |
|                       | AJ        | 4,677,552       | 6/30/1987        | Sibley, Jr.     |       |          |                            |
|                       | AK        | 4,734,858       | 03/29/1988       | Schlaflly       |       |          |                            |
|                       | AL        | 4,739,478       | 4/19/1988        | Roberts et al.  |       |          |                            |
|                       | AM        | 4,742,457       | 5/3/1988         | Leon et al.     |       |          |                            |
|                       | AN        | 4,751,640       | 6/14/1988        | Lucas et al.    |       |          |                            |
|                       | AO        | 4,755,940       | 07/05/1988       | Brachtle et al  |       |          |                            |
|                       | AP        | 4,775,935       | 10/04/1988       | Yourick         |       |          |                            |
|                       | AQ        | 4,789,928       | 12/6/1988        | Fujisaki        |       |          |                            |
|                       | AR        | 4,795,890       | 01/03/1989       | Goldman         |       |          |                            |
|                       | AS        | 4,799,156       | 1/17/1989        | Shavit et al.   |       |          |                            |
|                       | AT        | 4,812,628       | 03/14/1989       | Boston et al    |       |          |                            |
|                       | AU        | 4,823,265       | 4/18/1989        | Nelson          |       |          |                            |
|                       | AV        | 4,864,516       | 09/05/1989       | Gaither et al   |       |          |                            |
|                       | AW        | 4,876,648       | 10/24/1989       | Lloyd           |       |          |                            |
|                       | AX        | 4,885,685       | 12/5/1989        | Wolfberg et al. |       |          |                            |
|                       | AY        | 4,887,208       | 12/12/1989       | Schneider et al |       |          |                            |
|                       | AZ        | 4,903,201       | 2/20/1990        | Wagner          |       |          |                            |
|                       | AAA       | 4,910,676       | 3/20/1990        | Allredge        |       |          |                            |

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| Examiner Signature<br>/William Allen/ (10/22/2008)   | Date Considered |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |

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| Substitute Form PTO-1449<br>(Modified)   | U.S. Department of Commerce<br>Patent and Trademark Office | Attorney's Docket No.<br>13466-002016 | Application No.<br>10/824,322 |
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|-----------------------|-----------|-----------------|------------------|-------------------|-------|----------|----------------------------|
| Examiner Initial      | Desig. ID | Document Number | Publication Date | Patentee          | Class | Subclass | Filing Date If Appropriate |
|                       | ABB       | 4,922,521       | 05/01/1990       | Krikke et al      |       |          |                            |
|                       | ACC       | 4,935,870       | 06/19/1990       | Burk et al        |       |          |                            |
|                       | ADD       | 4,947,028       | 08/07/1990       | Gorog             |       |          |                            |
|                       | AEE       | 4,977,595       | 12/11/1990       | Ohta et al        |       |          |                            |
|                       | AFF       | 4,982,346       | 01/01/1991       | Girouard et al    |       |          |                            |
|                       | AGG       | 4,992,940       | 2/12/1991        | Dworkin           |       |          |                            |
|                       | AHH       | 5,021,953       | 6/4/1991         | Webber et al.     |       |          |                            |
|                       | AII       | 5,060,153       | 10/22/1991       | Nakagawa          |       |          |                            |
|                       | AJJ       | 5,063,507       | 11/5/1991        | Lindsey et al.    |       |          |                            |
|                       | AKK       | 5,077,607       | 12/31/1991       | Johnson et al     |       |          |                            |
|                       | ALL       | 5,077,665       | 12/31/1991       | Silverman et al.  |       |          |                            |
|                       | AMM       | 5,101,353       | 3/31/1992        | Lupien et al.     |       |          |                            |
|                       | ANN       | 5,136,501       | 8/4/1992         | Silverman et al.  |       |          |                            |
|                       | AOO       | 5,168,446       | 12/1/1992        | Wiseman           |       |          |                            |
|                       | APP       | 5,191,613       | 3/2/1993         | Graziano et al.   |       |          |                            |
|                       | AQQ       | 5,193,056       | 3/9/1993         | Boes              |       |          |                            |
|                       | ARR       | 5,206,803       | 4/27/1993        | Vitagliano et al. |       |          |                            |
|                       | ASS       | 5,220,501       | 06/15/1993       | Lawlor et al      |       |          |                            |
|                       | ATT       | 5,235,680       | 8/10/1993        | Bijnagte          |       |          |                            |
|                       | AUU       | 5,237,500       | 8/17/1993        | Perg et al.       |       |          |                            |
|                       | AVV       | 5,239,462       | 8/24/1993        | Jones et al.      |       |          |                            |
|                       | AWW       | 5,243,515       | 9/7/1993         | Lee               |       |          |                            |
|                       | AXX       | 5,247,575       | 09/23/1993       | Sprague et al     |       |          |                            |
|                       | AYY       | 5,258,908       | 11/2/1993        | Hartheimer et al. |       |          |                            |
|                       | AZZ       | 5,262,942       | 11/16/1993       | Earle             |       |          |                            |
|                       | AAAA      | 5,280,305       | 01/18/1994       | Monroe et al      |       |          |                            |
|                       | ABBB      | 5,280,422       | 01/18/1994       | Moe et al         |       |          |                            |

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| U.S. Patent Documents |           |                 |                  |                   |       |          |                            |
|-----------------------|-----------|-----------------|------------------|-------------------|-------|----------|----------------------------|
| Examiner Initial      | Desig. ID | Document Number | Publication Date | Patentee          | Class | Subclass | Filing Date If Appropriate |
|                       | ACCC      | 5,283,731       | 2/1/1994         | Lalonde et al.    |       |          |                            |
|                       | ADDD      | 5,285,383       | 2/8/1994         | Lindsey et al.    |       |          |                            |
|                       | AEEE      | 5,297,031       | 03/22/1994       | Guttermann et al  |       |          |                            |
|                       | AFFF      | 5,297,032       | 03/22/1994       | Trojan et al      |       |          |                            |
|                       | AGGG      | 5,305,195       | 04/19/1994       | Murphy            |       |          |                            |
|                       | AHHH      | 5,305,200       | 4/19/1994        | Hartheimer et al. |       |          |                            |
|                       | AIII      | 5,319,542       | 06/07/1994       | King              |       |          |                            |
|                       | AJJJ      | 5,323,315       | 6/21/1994        | Highbloom         |       |          |                            |
|                       | AKKK      | 5,325,297       | 6/28/1994        | Bird et al.       |       |          |                            |
|                       | ALLL      | 5,329,589       | 7/12/1994        | Fraser et al.     |       |          |                            |
|                       | AMMM      | 5,334,822       | 08/02/1994       | Sanford           |       |          |                            |
|                       | ANNN      | 5,335,170       | 08/02/1994       | Petteruti et al   |       |          |                            |
|                       | AOOO      | 5,336,870       | 08/09/1994       | Hughes et al      |       |          |                            |
|                       | APPP      | 5,341,429       | 08/23/1994       | Stringer et al    |       |          |                            |
|                       | AQQQ      | 5,345,091       | 09/06/1994       | Craig et al       |       |          |                            |
|                       | ARRR      | 5,347,306       | 9/13/1994        | Nitta             |       |          |                            |
|                       | ASSS      | 5,347,632       | 9/13/1994        | Filepp et al.     |       |          |                            |
|                       | ATTT      | 5,351,186       | 09/27/1994       | Bullock et al     |       |          |                            |
|                       | AUUU      | 5,351,293       | 09/27/1994       | Michener et al    |       |          |                            |
|                       | AVVV      | 5,375,055       | 12/20/1994       | Togher , et al.   |       |          |                            |
|                       | AWWW      | 5,383,113       | 01/17/1995       | Kight et al       |       |          |                            |
|                       | AXXX      | 5,394,324       | 2/28/1995        | Clearwater        |       |          |                            |
|                       | AYYY      | 5,402,336       | 08/02/1994       | Spiegelhoff et al |       |          |                            |
|                       | AZZZ      | 5,414,833       | 05/09/1995       | Hershey et al     |       |          |                            |
|                       | AAAAA     | 5,424,944       | 6/13/1995        | Kelly et al.      |       |          |                            |
|                       | ABBBB     | 5,426,281       | 6/20/1995        | Abecassis         |       |          |                            |
|                       | ACCCC     | 5,428,778       | 06/27/1995       | Brookes           |       |          |                            |

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|-----------------------|-----------|-----------------|------------------|---------------------|-------|----------|----------------------------|
| Examiner Initial      | Desig. ID | Document Number | Publication Date | Patentee            | Class | Subclass | Filing Date If Appropriate |
|                       | ADDDD     | 5,448,625       | 9/5/1995         | Lederman            |       |          |                            |
|                       | AEEEE     | 5,451,998       | 9/19/1995        | Hamrick             |       |          |                            |
|                       | AFFFF     | 5,453,926       | 09/26/1995       | Stroshcin et al     |       |          |                            |
|                       | AGGGG     | 5,465,291       | 11/7/1995        | Barrus et al.       |       |          |                            |
|                       | AHHHH     | 5,485,510       | 01/16/1996       | Colbert             |       |          |                            |
|                       | AIIII     | 5,521,815       | 05/28/1996       | Rose                |       |          |                            |
|                       | AJJJJ     | 5,526,479       | 6/11/1996        | Barstow et al.      |       |          |                            |
|                       | AKKKK     | 5,553,145       | 09/03/1995       | Micali              |       |          |                            |
|                       | ALLLL     | 5,557,518       | 9/17/1996        | Rosen               |       |          |                            |
|                       | AMMMM     | 5,557,728       | 09/17/1996       | Garrett et al       |       |          |                            |
|                       | ANNNN     | 5,561,707       | 10/1/1996        | Katz                |       |          |                            |
|                       | AOOOO     | 5,584,025       | 12/10/1996       | Keithley et al.     |       |          |                            |
|                       | APPPP     | 5,592,375       | 1/7/1997         | Salmon et al.       |       |          |                            |
|                       | AQQQQ     | 5,594,732       | 1/14/1997        | Bell et al.         |       |          |                            |
|                       | ARRRR     | 5,598,557       | 01/28/1997       | Doner et al         |       |          |                            |
|                       | ASSSS     | 5,611,051       | 03/11/1997       | Pirelli             |       |          |                            |
|                       | ATTTT     | 5,625,818       | 04/29/1997       | Zarmer et al        |       |          |                            |
|                       | AUUUU     | 5,625,823       | 4/29/1997        | Debenedictis et al. |       |          |                            |
|                       | AVVVV     | 5,629,982       | 05/13/1997       | Micali              |       |          |                            |
|                       | AWWWW     | 5,630,125       | 05/13/1997       | Zellweger           |       |          |                            |
|                       | AXXXX     | 5,657,389       | 08/12/1997       | Houvener            |       |          |                            |
|                       | AYYYY     | 5,664,110       | 09/02/1997       | Green et al         |       |          |                            |
|                       | AZZZZ     | 5,664,111       | 9/2/1997         | Nahan et al.        |       |          |                            |
|                       | AAAAA     | 5,664,115       | 9/2/1997         | Fraser              |       |          |                            |
|                       | ABBBB     | 5,666,493       | 09/09/1997       | Wojcik et al        |       |          |                            |
|                       | ACCCC     | 5,689,652       | 11/18/1997       | Lupien et al        |       |          |                            |
|                       | ADDDDD    | 5,694,546       | 12/02/1997       | Reisman             |       |          |                            |

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Substitute Disclosure Form (PTO-1449)

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| U.S. Patent Documents |           |                 |                  |                  |       |          |                            |
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| Examiner Initial      | Desig. ID | Document Number | Publication Date | Patentee         | Class | Subclass | Filing Date If Appropriate |
|                       | AEEEEEE   | 5,694,551       | 12/02/1997       | Doyle et al      |       |          |                            |
|                       | AFFFFF    | 5,696,965       | 12/09/1997       | Dedrick          |       |          |                            |
|                       | AGGGGC    | 5,706,457       | 01/06/1998       | Dwyer et al      |       |          |                            |
|                       | AHHHHH    | 5,710,889       | 01/20/1998       | Clark et al      |       |          |                            |
|                       | AIIIII    | 5,715,314       | 2/3/1998         | Payne et al.     |       |          |                            |
|                       | AJJJJJ    | 5,717,989       | 02/10/1998       | Tozzoli et al    |       |          |                            |
|                       | AKKKKK    | 5,724,521       | 3/3/1998         | Dedrick          |       |          |                            |
|                       | ALLLLL    | 5,727,165       | 03/10/1998       | Ordish et al     |       |          |                            |
|                       | AMMMMM    | 5,745,882       | 4/28/1998        | Bixler et al.    |       |          |                            |
|                       | ANNNNN    | 5,752,238       | 5/12/1998        | Dedrick          |       |          |                            |
|                       | AOOOOC    | 5,771,291       | 01/23/1998       | Newton et al     |       |          |                            |
|                       | APPPPP    | 5,771,354       | 6/23/1998        | Crawford         |       |          |                            |
|                       | AQQQQQ    | 5,771,380       | 06/23/1998       | Tanaka et al     |       |          |                            |
|                       | ARRRRR    | 5,774,873       | 06/30/1998       | Berent et al     |       |          |                            |
|                       | ASSSSS    | 5,778,367       | 07/07/1998       | Wesinger et al   |       |          |                            |
|                       | ATTTTT    | 5,794,207       | 8/11/1998        | Walker et al.    |       |          |                            |
|                       | AUUUUU    | 5,794,210       | 8/11/1998        | Goldhaber et al. |       |          |                            |
|                       | AVVVVV    | 5,794,219       | 08/11/1998       | Brown            |       |          |                            |
|                       | AWWWWW    | 5,799,285       | 08/25/1999       | Klingman         |       |          |                            |
|                       | AXXXXX    | 5,803,500       | 09/08/1998       | Mossberg         |       |          |                            |
|                       | AYYYYY    | 5,809,144       | 09/15/1998       | Sirbu et al      |       |          |                            |
|                       | AZZZZZ    | 5,818,914       | 10/6/1998        | Fujisaki         |       |          |                            |
|                       | AAAAAA    | 5,826,244       | 10/20/1998       | Huberman         |       |          |                            |
|                       | ABBBBB    | 5,832,459       | 11/03/1998       | Cameron et al    |       |          |                            |
|                       | ACCCCC    | 5,835,896       | 11/10/1998       | Fisher et al     |       |          |                            |
|                       | ADDDDD    | 5,838,906       | 11/17/1998       | Doyle et al.     |       |          |                            |
|                       | AEEEEEE   | 5,842,040       | 11/24/1998       | Hughes et al.    |       |          |                            |

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|                       | AAAAAA    | 5,845,265       | 12/1/1998        | Woolston        |       |          |                            |
|                       | AGGGGG    | 5,845,266       | 12/01/1998       | Lupien et al    |       |          |                            |
|                       | AHHHHH    | 5,850,442       | 12/15/1998       | Muftic          |       |          |                            |
|                       | AIIIII    | 5,864,823       | 1/26/1999        | Levitan         |       |          |                            |
|                       | AJJJJJ    | 5,870,552       | 2/9/1999         | Dozier et al.   |       |          |                            |
|                       | AKKKKK    | 5,870,717       | 2/9/1999         | Wiecha          |       |          |                            |
|                       | ALLLLL    | 5,872,848       | 02/16/1999       | Romney et al    |       |          |                            |
|                       | MMMMMM    | 5,873,069       | 02/16/1999       | Reuhl et al     |       |          |                            |
|                       | ANNNNN    | 5,878,400       | 3/2/1999         | Carter, III     |       |          |                            |
|                       | AOOOOO    | 5,878,423       | 3/2/1999         | Anderson et al. |       |          |                            |
|                       | APPPPP    | 5,884,056       | 03/16/1999       | Steele          |       |          |                            |
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Substitute Disclosure Form (PTO-1449)

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|  |  |                                       |                               |
|--|--|---------------------------------------|-------------------------------|
| Substitute Form PTO-1449<br>(Modified)<br><br><b>Information Disclosure Statement<br/>by Applicant</b><br>(Use several sheets if necessary)<br><br>(37 CFR §1.98(b)) | U.S. Department of Commerce<br>Patent and Trademark Office | Attorney's Docket No.<br>13466-002016 | Application No.<br>10/824,322 |
|  | Applicant<br>Thomas G. Woolston                            |                                       |                               |
|  | Filing Date<br>April 13, 2004                              | Group Art Unit                        |                               |

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| Examiner Initial      | Desig. ID | Document Number | Publication Date | Patentee            | Class | Subclass | Filing Date If Appropriate |
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| Examiner Initial  | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation |    |
|   |           |                 |                  |                          |       |          | Yes         | No |
|   | XXXXXX    | 0542298 A2      | 05/19/1993       | Europe                   |       |          |             |    |
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| (37 CFR §1.98(b))   |  |                                       |                               |

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| Examiner Initial  | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation |    |
|   |           |                 |                  |                          |       |          | Yes         | No |
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